

FDA Voluntary National Retail Food Regulatory Program Standards Report for Lincoln Lancaster County Health Department October 2013

Standard 1 - Regulatory Foundation

Initial Assessment Compliance: 10/6/2003; Audit Verified: 8/30/2005;

Second Assessment Compliance: 6/13/2012; Audit Verified: 6/15/2012

LLCHD remains in compliance with this standard, meeting 10 of 11 risk factor regulations. The FDA risk factor regulation that is not met in Nebraska is “no bare hand contact of ready to eat foods.” Upon a third assessment in five years, without meeting 11 of 11 risk factors, LLCHD will no longer meet Standard 1. When the FDA Food Code for no bare hand contact for ready to eat foods is adopted by Lincoln or the State, establishments would still have the option to use bare hand contact of ready to eat foods if they have a HACCP plan (Active Managerial Control Plan) approved that identifies their policies that would protect the food from contamination during preparation.

The latest Nebraska Food Code was effective March 12, 2012, and adopts the majority of the FDA 2009 Food Code. The State has continued to delay implementation of the violation terminology in the 2009 FDA Food Code until a digital inspection system is in place statewide.

Standard 2 - Trained Regulatory Staff

Initial Assessment Compliance: 8/26/2009; Audit Verified: 6/10/2010

The training process for new staff, as outlined in Standard 2, was implemented in 2005. This includes completing 25 joint visits observing and learning from the Food Team Training and Standardizing Coordinator or other standardized team members, followed by 25 independent inspections that the trainee conducts while being observed by the Standardized Team member. Trainees work through the 36 required ORA-U training courses during this time. After trainees conduct inspections for a minimum of six months, they are standardized by the Training and Standardization Coordinator.

Staff have received and recorded training in accordance to Policy 222.05 - Food Safety Program Staff Training. This policy identifies the training for field staff and establishes a record keeping system for all training. The record system includes individual training records and an annual review by the Food Program Training and Standardization Coordinator. Staff training in 2012/13 included the Nebraska Food Safety Task Force Conference, and the Nebraska Environmental Health Association's Annual Conference.

We had one new field staff member start in April 2013 as an Environmental Health Specialist I. She holds a Bachelors Degree in Biology and has years of experience in working in the food service industry.

Standard 3 - Inspection Program Based on HACCP Principles

Initial Assessment Compliance: 2/17/2007; Audit Verified: 9/15/2008

LLCHD meets Standard 3 based on LLCHD's inspection report form, inspection policies, inspection intervals based on risk, food code variance requests policy, and HACCP plan review policy. The second self assessment of this Standard is scheduled to be completed by May of 2014.

LLCHD has been using a digital inspection reporting system, "InspecTab," since Fall 2005. This system uses the risk factor form, provides additional information such as verifying food manager and food handler permit compliance has the ability to attach photos of violations, and maintains inspection data for reports. As of January 2013, LLCHD inspection report data is sent electronically to the Nebraska Department of Agriculture. With this change, LLCHD no longer prints and mails copies of all our inspection reports to the Nebraska Department of Agriculture (NDA). At NDA this eliminated the need to data enter all the inspection information into their system.

LLCHD had planned to implement the new violation terminology of Priority, Priority Foundation, and Core designations replacing the terms of Critical and Non-critical. This has not been completed as the NDA has postponed implementation while they create and implement their digital inspection program. LLCHD shared the InspecTab Program with the State to provide guidance in the development. We have been very satisfied with the InspecTab program that was developed in-house by someone with food inspection experience. InspecTab not only provides clear informative inspection reports to the establishment, it electronically provides inspection data that assist with program management. When the State inspection program is implemented LLCHD will decide whether to use their system or update InspecTab.

Standard 4 - Uniform Inspection Program

Initial Assessment Compliance: 5/1/2013; Audit Verified: 6/20/2013

The Training and Standardization Coordinator standardizes each member of the Food Safety field staff on inspection procedures and interpretations in accordance with LLCHD policy and NDA contract. The Training and Standardization Coordinator is standardized by NDA.

The Training and Standardization Coordinator was tasked this past year to complete the self assessment of Standard 4. The self assessment includes an audit of two inspections by each inspector and a review of the inspection report history. The results are documented and statistically quantified to verify inspection consistency and compliance with the Standard. The self assessment result was that LLCHD meets the requirements of Standard 4. The documentation of the self assessment was provided to George Hanssen with NDA who has been trained by FDA to audit Standard self assessments. On June 20, 2013, the audit verified that LLCHD meets Standard 2.

LLCHD received FDA funding of \$2,500.00 for FY 2013 to complete the self assessment and audit of this Standard.

Standard 5 – Foodborne Illness and Defense Preparedness and Response

Initial Assessment Compliance: 4/6/2010; Audit Verified: 8/26/2010

LLCHD continues to investigate all complaints and outbreaks associated with a foodborne illness. The FDA recommended Epidemiological (EPI) Team approach has been used by LLCHD since the early 1990s.

Accomplishing compliance with Standard 5 the Food Safety Program has improved our surveillance process to review records for possible trends in food or establishments relative to foodborne illness. Guidance was provided by the Council to Improve Foodborne Outbreak Response (CIFOR) *Guidelines for Foodborne Disease Outbreak Response* published in 2010.

In February 2013, in coordination with the staff reorganization to adjust for the new FDA Grant funded Food Safety Consultant position, the food and child care lead EPI Environmental Health Specialist work was assigned to the Food Safety Consultant who has previous work experience in Epidemiology. This has proved to be a good fit for our program needs.

Standard 6 Compliance and Enforcement

Initial Assessment Compliance: Partial; Audit Verified: No

This standard requires policies for enforcement activities. Current LLCHD policies meet Standard 6 requirements. LLCHD has enough inspection history of using the risk factor inspection form to do the required verification to meet this standard. The Food Safety Program requires a “Plan of Action” form to be submitted by the establishment operator whenever a Notice of Violation or Food Enforcement Notice has been issued.

The goals for 2013-2014 are to revise the Food Enforcement Policy to clarify specific conditions for issuing a Food Enforcement Notice or Notice of Violation and to incorporate a new Plan of Action form. In addition, the Environmental Health Specialist II serving as the Food Safety consultant to food establishments will assist lower performing establishments receiving warning notices with implementing active managerial controls such as developing policies and procedures to prevent reoccurrence of risk factor violations. This consultation work is funded by a five year FDA grant awarded to LLCHD.

The Food Advisory Committee worked at length to revise the Food Handler and Food Manager Enforcement Policy which was approved by the Board of Health in February 2013.

Standard 7 – Industry and Community Relations

Initial Assessment Compliance: 8/19/2002; Audit Verified: 7/30/2004

Second Assessment Compliance: 5/30/2012; Audit Verified: 5/31/2012

LLCHD continues to exceed requirements for Standard 7. Compliance includes having a Board of Health, a Board of Health appointed Food Advisory Committee, ongoing consumer education projects with the Lancaster County Extension, Food Manager and Food Handler Permit

requirements, Food Protection Manager renewal classes, quarterly *Food Talk* newsletters to food managers, Food Manager Memos providing important local information, a Board of Health annual award for “Excellence in Food Sanitation,” and an LLCHD Food Safety Program website.

The Food Advisory Committee provides input and guidance on Food Safety Program policies, the NDA Evaluation Reports, and the Annual Standards Report.

A major project this past year was implementing upgrades to the on-line registration “portal” for food handler training, testing, and permitting program, which included the addition of the responsible beverage server/seller permits as a new Lincoln requirement. Over 75% of food handlers choose to get their permits online. The online course is a more convenient option to obtain a food handler permit. LLCHD facilitated the workgroup to implement the responsible beverage server/seller program, and provides support to the employees getting online permits.

Each year there are six Food Protection Manager Permit Renewal Classes presented by the Food Handler Education Coordinator, Dr. Phil Rooney. These classes are an option for renewing permits and are very well received by food protection managers as a review of important food safety issues and updates. Food handler classes continue to be offered with one Prep/Cook class each week, a monthly Serve/Clean class, a monthly Restricted Shift Manager class, and a monthly Spanish Prep/Cook class. This summer the Spanish Prep/Cook class was revised to be more interactive learning and the result was better test scores and a more positive experience for the food handlers.

In 2012, due to growing public demand, LLCHD made inspection information available on our Food Safety Program website. Establishments are searched for by name and address and inspection report dates for the past three years are listed. A listing of the violations documented on the inspection report is provided if a Food Enforcement Notice was issued.

The goals for 2013-2014 are to update several Food Safety Program Policies and to revise and restructure LLCHD’s Food Safety Program Website to reflect the new City format.

Standard 8 – Program Support and Resources

Initial Assessment Compliance: Partial; Audit Verified: No

FDA Standard 8 recommends that each full time equivalent have a workload of “280 to 320” inspections per year. The term “inspection” includes routine inspections, re-inspections, complaint investigations, compliance follow up inspections, risk assessment reviews, process reviews, and other direct establishment contact time such as on-site training. The estimated workload for LLCHD’s food inspectors per full time equivalent is approximately 400 inspections per year. There has been significant growth throughout our community and especially in the new food establishments related to the West Haymarket and the Pinnacle Bank Arena.

Annual permit fee adjustments are made near the start of the City’s Fiscal Year. A Food Establishment Permit renewal fee increase of approximately 3% is projected for this coming year. The establishment fees collected fund approximately 50% of the total Food Safety Program costs,

not including the Food Handler Program. The direct cost of Food Handler Program is 100% fee funded.

All food establishment and food handler and manager permit information is maintained in digital files. In January 2013, after nearly two years of preparation, the City of Lincoln implemented a new data system, Accela Automation. All existing files were transferred to the new system. All reports had to be recreated. It has been a challenge and has taken a significant amount of staff time to implement Accela Automation, but, in the long run it will be a better system than the older Permits Plus. Inspection report information is downloaded from InspecTab, and additional information is scanned into the file, eliminating paper files. This digital system includes the creation of documents such as applications, form letters, and reports. The efficiency and accuracy of the food permit records, as well as the ability to generate reports from file data, has made a significant improvement to the program.

The past several years, FDA offered financial assistance to regulatory programs to help them meet the Standards. LLCHD applied for and received the maximum payment of \$2,500.00 to complete work each year on the Standards. There is hope that, although this funding has not yet been offered for the current year, there will be some funding available as in the past. If the funding is available LLCHD will request for self assessment work for Standard 6 and for completing the second self assessment on Standard 3.

In 2012, LLCHD received a five-year grant for \$70,000 each year to establish a food safety consultant (0.75 FTE) to assist the poorest performing food establishments to improve their active managerial control resulting in improved food code compliance and increased food safety.

Standard 9 - Program Assessment

Initial Assessment Compliance: 5/11/2004; Audit Verified: 7/30/2004

The baseline inspection survey was completed in June 2003. This survey report was used to determine areas of greatest non-compliance so that education and consultative work could focus in these areas. To complete a survey using our electronic inspection data, we have modified the establishment information in our files to match the FDA categories required for the survey. LLCHD will create a Report(s) to query for the inspection information needed for this survey report. The survey findings will be used to evaluate improvements in food safety compliance by the regulated industry and identify areas for future improvements.

Summary

LLCHD signed up for the FDA Standards in August 2001. In August 2002, Standard 7 was the only standard LLCHD met. LLCHD now meets Standards 1, 2, 3, 4, 5, 7, and 9. FDA and the Conference for Food Protection continue to support the Program Standards. LLCHD Board of Health has indicated their goal is for the Food Safety Program to meet all nine Program Standards. LLCHD continues to work on improvements within every Standard. A goal for 2014 will be to complete the initial self assessment and audit for Standard 6, to complete the second assessment and audit for Standard 3, and to complete the second assessment survey and audit for Standard 9. The Standards provide direction and goals for the Food Safety Program that enhanced our vision for safe food in Lincoln and Lancaster County, Nebraska.